

Article 27 – Crimes and PunishmentsSection 643C and 786(b) and (d)Annotated Code of Maryland(1996 Replacement Volume and 1997 Supplement)BY repealing and reenacting, without amendments,Article 27 – Crimes and PunishmentsSection 786(a)Annotated Code of Maryland(1996 Replacement Volume and 1997 Supplement)

BY repealing and reenacting, with amendments,

Article 41 – Governor – Executive and Administrative Departments

Section 4–504(d) and 4–507

Annotated Code of Maryland

(1997 Replacement Volume and 1997 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article 27 – Crimes and Punishments643C.

(a) Nothing in this article may be construed to prohibit the use of judicial guidelines in setting sentences.

(b) However, the guidelines may not:

(1) Prescribe a sentence exceeding the maximum sentence provided by law; or

(2) Be used in violation of any mandatory minimum sentence prescribed by law.

~~(C) IF A COMMITMENT ORDER IS ISSUED BY A COURT, THE CLERK OF THE COURT SHALL INCLUDE A COPY OF THE MARYLAND SENTENCING GUIDELINES WORKSHEET WITH THE COMMITMENT ORDER.~~

(C) (1) IF A COURT PREPARES A MARYLAND SENTENCING GUIDELINES WORKSHEET, THE CLERK OF THE COURT SHALL DELIVER TO THE AGENCY THAT HAS BEEN ORDERED BY THE COURT TO RETAIN CUSTODY OF THE DEFENDANT A COPY OF THE MARYLAND SENTENCING GUIDELINES WORKSHEET WITH THE COMMITMENT ORDER OR AS SOON AS PRACTICABLE AFTER ISSUANCE OF THE COMMITMENT ORDER

(2) THE PAROLE COMMISSION SHALL REVIEW A MARYLAND SENTENCING GUIDELINES WORKSHEET FOR PURPOSES OF COMPLYING WITH THE REQUIREMENTS OF ARTICLE 41, TITLE 4, SUBTITLE 5 OF THE CODE.